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October 21, 2015

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Ladies and Gentlemen:

To comply with the Administrative Rules of Montana (ARM), specifically ARM 17.4.609, the Department of Environmental Quality (DEQ) has prepared the enclosed Environmental Assessment (EA) concerning Wayne's Classic Auto, a motor vehicle wrecking facility.

The purpose of this EA is to inform all interested governmental agencies, public groups, and individuals of the proposed action and to determine whether or not the action may have a significant effect on human health and the environment. The public has until close of business on November 20, 2015, to submit written comments concerning the proposal. DEQ will not make a licensing decision until at least 30-days after publication of the EA.

If you wish to comment on this proposed action within the 30-day public comment period, please do so in writing, by mailing, your comments to the Waste and Underground Tank Management Bureau, Motor Vehicle Recycling & Disposal Program, P.O. Box 200901, Helena, MT 59620-0901 or by email to mailbox WUTBComments@mt.gov.

If you have any questions or need additional information, please contact me at the Permitting and Compliance Division, Waste and Underground Tank Management Bureau, Motor Vehicle Recycling & Disposal Program.

Sincerely,

A handwritten signature in black ink that reads "Brady Christensen". The signature is written in a cursive, flowing style.

Brady Christensen, CHMM
Motor Vehicle Recycling & Disposal Program
(406) 444-3048 or email at bchristensen@mt.gov

Enc: Environmental Assessment

MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY
Permitting and Compliance Division
Waste and Underground Tank Management Bureau
Solid Waste Section
PO Box 200901
Helena, MT 59620-0901

ENVIRONMENTAL ASSESSMENT

PROJECT OR APPLICATION:

Wayne's Classic Auto, a Montana firm, has proposed a private Motor Vehicle Wrecking facility in Lake County.

SOLID WASTE SECTION ROLES AND RESPONSIBILITIES:

The Department of Environmental Quality (DEQ) is responsible for ensuring activities proposed under the Solid Waste Management Act, the Septage Disposal Licensure Act, and the Motor Vehicle Disposal & Recycling Act are in compliance with current regulations. The Solid Waste Section (SWS) is a part of DEQ's Permitting and Compliance Division, Waste and Underground Tank Management Bureau. The Motor Vehicle Recycling & Disposal Act (75-10-501, MCA) and the Administrative Rules of Montana (ARM), Title 17, Chapter 50, Section 201 provide the necessary authority for the MVRDP to license and regulate motor vehicle wrecking facilities (MVWF) in the state of Montana.

SECTION 1.0 – PROJECT DESCRIPTION:

Mr. Wayne Hardy (applicant), doing business as Wayne's Classic Auto, submitted a license application to DEQ's SWS for the licensure of a MVWF in Lake County. The proposed location is at 36747 Light Rd., Pablo, Montana. At the present time, the property is owned by Mr. Hardy and contains a residence and large metal outbuildings as well as various automobiles and other equipment. Mr. Hardy has applied to license 5 acres of the property for use as a MVWF.

Purpose of the Environmental Assessment:

In accordance with 75-1-102, MCA, the Montana Environmental Policy Act (MEPA) is procedural and requires the "adequate review of state actions in order to ensure that environmental attributes are fully considered by the legislature in enacting laws to fulfill constitutional obligations; and the public is informed of the anticipated impacts in Montana of potential state actions." According to MEPA, Environmental Assessments (EAs) are the procedural documents that communicate the process agencies follow in their decision-making. An EA does not result in a certain decision, but rather serves to identify the potential effect of a state action within the confines of existing laws and rules governing such proposed activities so that agencies make balanced decisions. The MEPA process does not provide regulatory authority beyond the authority explicitly provided in existing statute.

The Motor Vehicle Recycling & Disposal Act and associated administrative rules establish the minimum requirements for the design and operation of MVWF's. The EA is the mechanism that DEQ uses to: 1) Disclose whether a proposed site meets the minimum requirements for compliance with the current laws and rules; 2) Assist the public in understanding the state MVWF regulations as they pertain to licensing MVWF; 3) Identify and discuss the potential environmental effects of the proposed site if it is approved and becomes operational; 4) Discuss actions taken by the applicant and the enforceable measures and conditions designed to mitigate the effects identified by DEQ during the review of the application; and 5) Seek public input to ensure DEQ has identified the substantive environmental impacts associated with the proposed MVWF.

Purpose of Proposal:

By obtaining a motor vehicle wrecking facility license, the applicant will be allowed to: (1) Buy, sell, or deal in four or more vehicles per year of a type required to be licensed, for the purpose of wrecking, dismantling, disassembling, or substantially altering the form of the motor vehicle, (2) Buy or sell component parts, in whole or in part, and deal in second-hand junk vehicles, (3) Purchase wrecked vehicles from insurance companies. Insurance companies are required by state law to sell junk vehicles only to licensed motor vehicle wrecking facilities. This business, if licensed, will provide a commercial source of automotive parts at a cost savings to the consumer, and (4) will also recycle all the ferrous and non-ferrous metals of the dismantled vehicles that were not sold to the general public. Recycling metals will conserve energy and natural resources otherwise used to manufacture new automotive parts.

Benefits of Proposal:

By obtaining a motor vehicle wrecking facility license, the applicant will be allowed to: (1) Purchase junk vehicles from the general public and insurance companies which will contribute to the overall cleanliness of the community in which it is located; (2) The facility will be required by statute to shield the junk vehicles from public view; (3) The facility will be required to handle all automotive waste in an environmentally safe manner; and (4) This service will conserve energy and natural resources otherwise used to manufacture new parts.

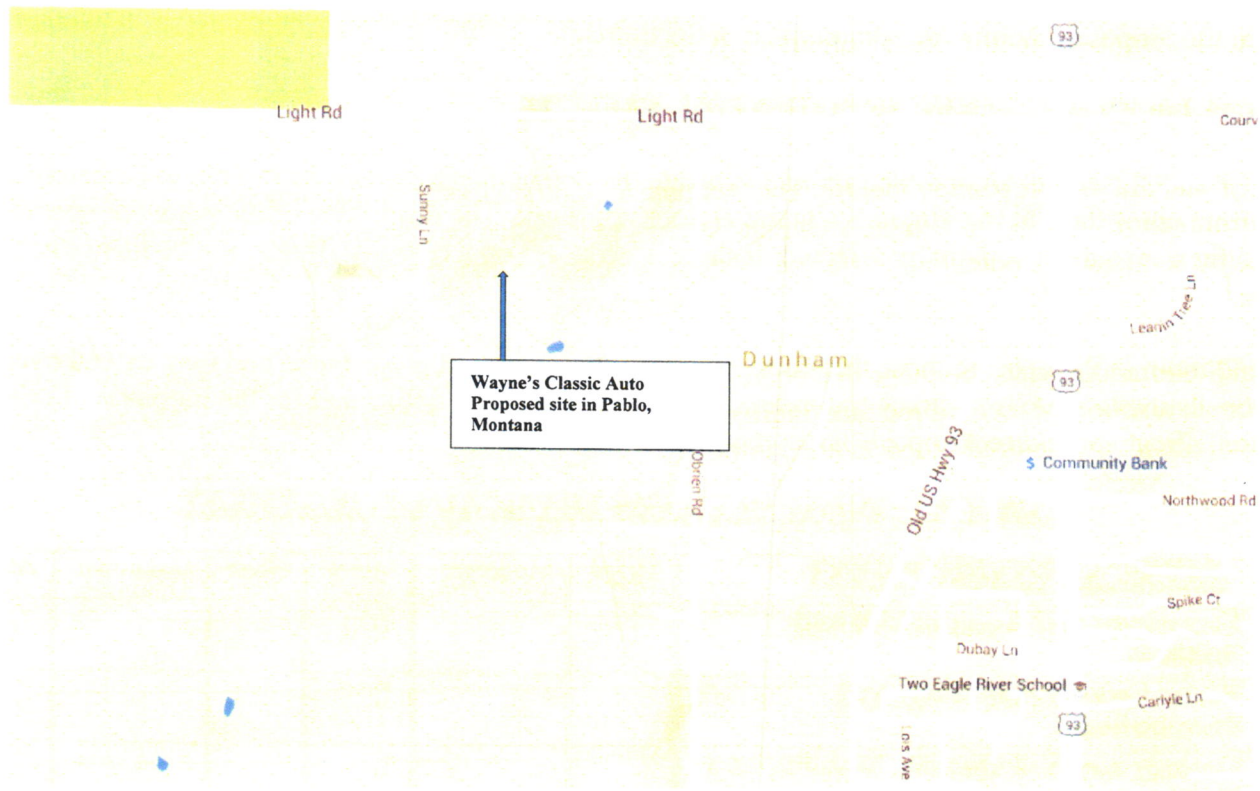
Site Location:

The proposed motor vehicle wrecking facility will be in Lake County. This facility will be located at 36747 Light Road, Pablo, Montana. The legal description of the facility is Lot 2 of COS 5313 of Section 02, Township 21 North, Range 20 West. Reference Figures 1.1 and 1.2.

Figure 1.1: Location of Proposed Site



Figure 1.2: Location of Proposed Site



SECTION 2.0 – ALTERNATIVES CONSIDERED:

The following provides a description of reasonable alternatives whenever alternatives are reasonably available and prudent to consider:

A decision by DEQ is triggered when the applicant completes the application for licensure of the proposed activity at the proposed location. The applicants however, may at any time choose to withdraw the application. This would result in DEQ selecting the “no action” alternative, because a DEQ decision would not be necessary. If the applicant withdraws the application, the applicant could seek to locate a similar facility elsewhere.

Alternative A: The “no action” alternative. If this alternative is selected, a final decision by DEQ will not be required because the applicant will have chosen to withdraw the application for licensure of the MVWF. By withdrawing the application from consideration by DEQ, the applicant could seek an alternative site for the proposal.

DEQ has not received a request by the applicant to withdraw the application for licensure. Therefore, prior to DEQ’s final decision, two other possible alternatives were considered during the preparation of this EA.

Alternative B: The “license application denied” alternative. If this alternative is selected, DEQ will deny the new MVWF application because the application failed to meet the minimum requirements of the Motor Vehicle Recycling & Disposal Act and could not continue to be processed as submitted. If denied, the applicant has the option to modify the application for the current site and reapply for licensure, or could locate, investigate, and apply for licensure of another site.

Alternative C: The “license application approved” alternative. If this alternative is selected, DEQ will approve the application and issue a new license establishing MVWF facility.

In consideration of these alternatives, the potential environmental effects of Alternative C were evaluated for the proposed project based on the information provided, DEQ research on the site and area surrounding the proposed site, as well as DEQ's site visit. The results of DEQ's evaluation of potential environmental impacts related to the proposed facility are summarized in Section 3.0.

SECTION 3.0: EVALUATION OF POTENTIAL EFFECTS

Tables 3.1 and 3.2 of this section identify and evaluate the potential effects that may occur to human health and the environment if the site for Wayne's Classic Auto is approved. The discussion of the potential impacts only includes those resources potentially affected. If there is no effect on a resource, it may not be mentioned in the analysis.

Direct and indirect impacts are those that occur in or near the proposed project area and may extend over time. Often, the distinction between direct and indirect effects is difficult to define and for the purposes of this discussion, direct and indirect impacts are combined.

TABLE 3.1 - IMPACTS TO THE PHYSICAL ENVIRONMENT

<u>PHYSICAL ENVIRONMENT</u>	Major	Moderate	Minor	None	Unknown	Attached
1. Terrestrial and Aquatic Life and Habitats			✓			✓
2. Water Quality, Quantity, and Distribution			✓			✓
3. Geology and Soil Quality, Stability and Moisture			✓			✓
4. Vegetation Cover, Quantity, and Quality				✓		✓
5. Aesthetics				✓		✓
6. Air Quality				✓		
7. Unique, Endangered, Fragile, or Limited Environmental Resources				✓		
8. Historical and Archaeological Sites				✓		✓
9. Demands on Environmental Resources on Land, Water, Air or Energy				✓		

TABLE 3.2 - IMPACTS TO THE HUMAN ENVIRONMENT

<u>HUMAN ENVIRONMENT</u>	Major	Moderate	Minor	None	Unknown	Attached
1. SOCIAL STRUCTURES & MORES				✓		
2. CULTURAL UNIQUENESS & DIVERSITY				✓		
3. DENSITY & DISTRIBUTION OF POPULATION & HOUSING				✓		
4. HUMAN HEALTH & SAFETY				✓		
5. QUANTITY & DISTRIBUTION OF EMPLOYMENT			✓			✓
6. LOCAL & STATE TAX BASE REVENUES			✓			✓
7. DEMAND FOR GOVERNMENT SERVICES			✓			✓
8. INDUSTRIAL, COMMERCIAL, & AGRICULTURAL ACTIVITIES & PRODUCTION				✓		
9. ACCESS TO & QUALITY OF RECREATIONAL & WILDERNESS ACTIVITIES				✓		

10. LOCALLY ADOPTED ENVIRONMENTAL PLANS & GOALS				✓		✓
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ANALYSIS OF TABLE 3.1 – POTENTIAL IMPACTS TO THE PHYSICAL ENVIRONMENT

This section evaluates the potential environmental effects that may occur on the physical environment if the proposed facility is approved. The number on each of the underlined resource headings corresponds to a resource listed in the tables. Generally, only those resources potentially affected by the proposal are discussed. Therefore, if there is no effect on a resource, it may not be discussed.

1. Terrestrial & Aquatic Life Habitats
4. Vegetation Cover, Quantity, and Quality

The proposed facility is sited in Pablo, Montana. This wrecking facility is surrounded mainly by agricultural land with a few residences within one half mile of the property. The impacts caused by the wrecking facility activities should not be significant to the area's ecosystem since the applicant will be required to drain all automotive fluids over an impermeable pad. There will be minor to no impact to the quality or quantity of the the vegetative cover on the property, as the property is already being used to store automobiles.

2. Water Quality, Quantity, and Distribution

The properties in this area are on wells. The static ground water level in the vicinity of the site varies from 10 feet to 350 feet below ground surface (BGS) with an average static water level of 65.77 feet BGS. This proposed motor vehicle wrecking facility is not expected to have any impacts on the quality, quantity, and distribution of the ground water because of the planned management practices. These practices will include the removal of the automotive fluids over an impermeable pad before the junk vehicles are processed. These auto fluids will be either reused or properly recycled.

3. Geology and Soil Quality, Stability, and Moisture

The soils in the vicinity of the site are well drained, 0 to 8 percent slope, and more than 60 inches to the water table. Waste anti-freeze, gasoline, and lubricating oils contain petroleum distillates, heavy metals, and possibly toxic compounds. If improperly disposed, can cause surface and groundwater degradation. The applicant proposes to properly reuse or recycle all of the above-named automotive fluids. Some residual lubricating oils and anti-freeze may drip from the vehicles stored at the facility. This residual dripping is not expected to be significant or result in heavy soil accumulations because the junk vehicles will have the fluids removed over an impermeable pad.

Summary of Soil Properties

Soil Type	Map Key	Acres on Map	Depth profile	Drainage	Permeability
Gird silt loam, 0 to 2 percent slopes	63	8.3	0 to 60 inches: Silt loam	Well Drained	Moderately High – High
Gird silt loam, 2 to 4 percent slopes	64	4.5	0 to 60 inches: Silt loam	Well Drained	Moderately High – High
Jocko gravelly loam, 0 to 4 percent slopes	81	8.9	0 to 60 inches: Gravelly loam	Excessively Drained	Moderately High – High

McCollum fine sandy loam, 0 to 2 percent slopes	101	21.2	0 to 60 inches: Fine sandy loam	Well Drained	High
McCollum fine sandy loam, gravelly substratum, 0 to 2 percent slopes	104	20.4	0 to 42 inches: Fine sandy loam 42 to 60: Very Gravelly sandy Loam	Well Drained	High
Polson silt loam, 0 to 2 percent slopes	130	37.9	0 to 60 inches: Silt loam	Well Drained	Moderately High
Polson silt loam, 2 to 4 percent slopes	131	66.0	0 to 60 inches: Silt loam	Well Drained	Moderately High
Polson-Vincom silt loams, 4 to 8 percent slopes	132	35.7	0 to 60 inches: Silt loam	Well Drained	Moderately High
Sacheen loamy fine sand, 0 to 8 percent slopes	155	10.4	0 to 60 inches: Loamy fine sand	Excessively Drained	High – Very High

Source: USDA-NRCS, Web Soil Survey, Lake County, Montana



5. Aesthetics

The MVRDP is mandated by statute to require all MVWF to shield their junk vehicles from public view. "Public view" is defined as any point six feet above the surface of the center of a public road from which the junk vehicles can be seen. The applicant must meet state shielding requirements outlined in the Administrative Rule of Montana, 17.50.202 prior to licensure.

8. Historical and Archaeological Sites

All applicants are required to contact the State Historic Preservation Office (SHPO) in order to determine whether the activities at the site will interfere with any historical site at or near the property. Based on the

information gathered from the SHPO, it was concluded that the proposed facility would not impact cultural resources in the area.

ANALYSIS OF TABLE 3.2 - POTENTIAL IMPACTS ON HUMAN ENVIRONMENT

This section evaluates the potential environmental effects that may occur on the human environment if the proposed facility is approved. The number on each of the underlined resource headings corresponds to a resource listed in the tables. Generally, only those resources potentially affected by the proposal are discussed. Therefore, if there is no effect on a resource, it may not be discussed.

5. Quantity and Distribution of Employment

6. Local & State Tax Base & Tax Revenue

The operation of a motor vehicle wrecking facility may create an additional labor requirement and may result in additional employment. This employment and the employment requirements for the support services of this yard may provide a neutral to positive employment impact for the community. One can also conclude that additional jobs will also increase the local tax revenue.

7. Demands for Government Services

The potential impact of the proposed facility licensure is expected to be minor. The MVRDP provides grants to fund individual counties to run the Junk Vehicle program. The intent of this program is to remove unwanted vehicles from citizens free of charge and to regulate activities at licensed MVWF. Counties are required to inspect, at least annually, MVWFs for compliance with all applicable rules. The Lake County Environmental Health Division and DEQ's Solid Waste Section will perform inspections and provide compliance assistance while the facility is operational.

10. Locally Adopted Environmental Plans and Goals

The site selection is not the responsibility of Motor Vehicle Recycling & Disposal Program, but rather the applicant's. The establishment of a motor vehicle wrecking facility at this location does not conflict with any existing zoning ordinances as certified by LaDana Hintz, Planning Director, Lake County, Montana.

SECTION 4.0 CONCLUSIONS AND RECOMMENDATIONS

A listing and appropriate evaluation of mitigation, stipulations, and other controls enforceable by the agency or another government agency:

MVWF typically generate hazardous wastes through the variety of services they offer. Used batteries, antifreeze, mercury switches, oil, solvents, and other waste fluids are just a few examples of wastes that need to be handled and managed properly. Management of hazardous waste is regulated by the federal Resource Conservation and Recovery Act (RCRA), which is administered by DEQ. The types and number of requirements that must be complied with are based on the quantity and type of waste generated.

Automotive fluids **must be** drained from the vehicles prior to dismantling. All fluids removed from the vehicles must be captured over an impermeable surface, properly containerized, and properly stored for reuse, recycling, or proper disposal. This is a management method intended to alleviate the potential for ground water contamination. This is a license condition enforceable by DEQ.

MVWFs that generate waste tires are required to store, transport, and dispose of the tires properly. This is a license condition enforceable by DEQ.

Under the federal Clean Air Act, it is illegal to vent any ozone depleting substance or its substitute. Refrigerants must be recovered into a registered recovery device. This is a federally enforceable requirement administered by the U.S. Environmental Protection Agency (EPA).

Recommendation:

DEQ recommendation is to distribute the EA to adjacent landowners and interested persons to satisfy the public notification and participation requirements of MEPA.

Findings:

DEQ has determined that the proposed site, located within a sparsely populated, agricultural area, will have a minor impact on the surroundings. The licensed site, which is currently used to store vehicles and other equipment will comply with all environmental regulations pertaining to the operation of a MVWF. Site activities will be verified by periodic inspections performed by DEQ and/or Lake County personnel to ensure that the potential risk of adverse effects on human health and the environment resulting from operation of the facility are minimized. As a result, DEQ finds that an EA is the appropriate level of analysis and an Environmental Impact Statement is not needed.

If an EIS is needed, and if appropriate, explain the reasons for preparing the EA:

DEQ finds that an Environmental Impact Statement (EIS) is not necessary due to the mitigating factors provided by the solid waste rules and the applicant's proposal for licensure of Wayne's Classic Auto at the selected location. Consequently, the combined effect of all such factors at the site will ensure to a reasonable extent that any potential direct or cumulative impacts to human health and the environment from the proposed MVWF are minor.

If an EIS is not required, explain why the EA is an appropriate level of analysis:

Based on the information submitted for review with the license application, it is clear that the facility will handle all automotive fluids as required by law, shield the facility as required by law, and meet all Lake County zoning ordinances. Therefore, an EA is the appropriate document to address the potentially minor impacts of the proposed licensure of Wayne's Classic Auto.

Other groups or agencies contacted or which may have overlapping jurisdiction:

Lake County Commissioners

Individuals or groups contributing to this EA:

Montana Department of Natural Resources and Conservation

Natural Resource Conservation Service

Montana Historical Society

State Historic Preservation Office

U.S. Geological Survey

Montana Bureau of Mines and Geology

U.S. Department of Agriculture - Natural Resource Conservation Service

EA prepared by: Brady Christensen – Montana DEQ, Solid Waste Section

Date: October 15, 2015